

Law Offices of
O S C A R A R R O Y A V E

GROVE FOREST PLAZA, SUITE 206
2937 SOUTHWEST 27TH AVENUE
MIAMI, FLORIDA 33133-3703

TELEPHONE (305)444-0022
FACSIMILE (305)442-7279
EMAIL: arroyavelaw@cs.com

September 12, 2016

By ECF and U.S. Mail

The Honorable Richard M. Berman
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *United States v. Diego Fernando Murillo-Bejarano*
03 Cr. 1188 (RMB)

Hon. Judge Berman:

I represent Diego Fernando Murillo-Bejarano (hereinafter “Mr. Murillo-Bejarano”) in the above-referenced matter. This letter is respectfully submitted in response to the Court’s original Order dated June 24, 2016 [Document No. 130]; indicating that “defense counsel shall make a written motion regarding Defendant’s eligibility for a sentencing reduction by July 1, 2016.”

Mr. Murillo-Bejarano’s prior counsel missed the Court’s filing deadline and; thereafter, undersigned counsel was retained to represent him regarding this matter. Undersigned counsel submitted a Pro Hac Vice application through local counsel. Additionally, undersigned counsel, through local counsel, requested an adjournment in order to research and evaluate Mr. Murillo-Bejarano’s eligibility for a sentencing reduction pursuant to Title 18, U.S.C. 3582 (c)(2) and U.S.S.G. Amendment 782. The Court granted the requested adjournment and set a filing deadline of September 12, 2016 for defendant’s motion; September 19, 2016 for the Government’s Response; and October 04, 2016, for a Status Conference.

Undersigned counsel has carefully reviewed Mr. Murillo-Bejarano’s case file including, the Presentence Investigation Report, Plea Agreement, Sentencing Memorandums, Sentencing Transcript and other pleadings relevant to U.S.S.G. Amendment 782.

Undersigned counsel thanks the Court for granting Mr. Murillo-Bejarano the opportunity to research and evaluate this issue; however, after reviewing these documents it is clear that Mr. Murillo-Bejarano does not qualify for a two level sentence reduction pursuant to Title 18, U.S.C. 3582 (c)(2) and U.S.S.G. Amendment 782.

Respectfully submitted,

/s/ Oscar Arroyave
Oscar Arroyave, Esq
Pro Hac Vice Counsel for Defendant
Law Offices of Oscar Arroyave, P.A.
2937 SW 27 Avenue, Suite 206
Coconut Grove, FL 33133
Telephone: 305-444-0022
Fax: 305-442-7279
Email: arroyavelaw@gmail.com

cc: Attorney Alessandra DeBlasio (Local Counsel)
Assistant U.S. Attorney David Denton